



## **TOWN OF LOOMIS**

**ACTION MINUTES  
REGULAR MEETING OF  
LOOMIS TOWN COUNCIL  
LOOMIS TOWN HALL,  
6140 HORSESHOE BAR ROAD, SUITE K  
LOOMIS, CA 95650**

<b>TUESDAY</b>	<b>OCTOBER 9, 2007</b>	<b>7:00 P.M.</b>
<b>CLOSED SESSION</b> – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a. <b>CONFERENCE WITH REAL PROPERTY NEGOTIATOR:</b> Pursuant to Section 54956.9 of the Government Code; <b>Property:</b> <ul style="list-style-type: none"><li>- APN 044-007-064, 044-008-030 and 044-012-055 (Union Pacific Railroad property beginning at Loomis Station and running southwest toward Sierra College Boulevard and from Webb Street to King Road);</li></ul> <b>Agency Negotiator:</b> Perry Beck, Town Manager <b>Under Negotiation:</b> Price and term		
b. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION</b> Initiation of litigation pursuant to subdivision Section 54956.9: 3 potential cases		
<b>TUESDAY</b>	<b>OCTOBER 9, 2007</b>	<b>7:30 P.M.</b>

**CALL TO ORDER** Call to order by Mayor Millward at 7:45 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:**

Mayor Millward  
Councilmember Kelley  
Councilmember Morillas  
Councilmember Scherer  
Councilmember Ucovich

### **STATEMENT OF ACTION TAKEN DURING CLOSED SESSION**

- a. No action.
- b. No action.

### **MATTERS OF INTEREST TO COUNCILMEMBERS**

Councilmember Morillas noted that the Rocklin/Loomis Soroptomist are selling "Loomisopoly games" for a fund raiser and the money will be used for scholarships, Loomis Life Adult Center, and Totes for Kids.

Councilmember Kelley pointed out that the Loomis Chamber of Commerce building was finished today and they should be moving in by this weekend.

Councilmember Ucovich expressed his appreciation to the Chamber of Commerce for the most well attended and successful Eggplant Festival the Town ever had. He also thanked the Public Works Department for changing the lights to brighter ones at the intersection of Horseshoe Bar and Taylor Roads.

Councilmember Scherer said he attended the Del Oro football game and noted that the new field is very nice and when it rained it drained. He also pointed out that the Del Oro girls Varsity water polo team played Rocklin and won 15 to 5.

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

**Written Material Introduced Into the Record:** Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.

No public comment.

#### ADOPTION OF AGENDA

A motion was made to adopt the Agenda. On motion by Councilmember Scherer, seconded by Councilmember Morillas and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda pulling items 6, 7, and 8 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

#### CONSENT AGENDA

#### RECOMMENDED ACTION

- |   |                         |
|---|-------------------------|
| 1. Council Minutes – 8/28/07, 9/11/07                   | <i>APPROVE</i>          |
| 2. Monthly Check Register – September                   | <i>RECEIVE AND FILE</i> |
| 3. Statement of Activity                                | <i>RECEIVE AND FILE</i> |
| 4. Treasurer's Report                                   | <i>RECEIVE AND FILE</i> |
| 5. Planning Status Report                               | <i>RECEIVE AND FILE</i> |
| 9. Public Utility Commission Ruling On Rule 20A Funding | <i>RECEIVE AND FILE</i> |

#### CONSENT ITEMS FORWARDED

- |   |                         |
|---|-------------------------|
| 6. Placer County Sheriff is Notifying the Town That They Will Be Implementing a State Law that Provides Some Backfill Money For the Cost of Jail Booking Fees | <i>RECEIVE AND FILE</i> |
|---|-------------------------|

Councilmember Ucovich understood the State no longer allows booking fees for misdemeanors, only for felonies.

Perry Beck, Town Manager, stated he would look into that and get back to him.

No public comment.

A motion was made to Receive and file. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

- |   |   |
|---|---|
| 7. Contract with Environmental Consultant, Bill Mayer with LSA. For Orchard Place Subdivision, 3239 Taylor Road Adjacent To Legacy Lane, APN 043-013-013, And Authorize Town Manager to Sign a Contract with LSA to Complete a Revised Negative Declaration for the Project | <i>WAIVE THE BID<br/>APPROVE CONTRACT</i> |
|---|---|

Mayor Millward stated concerns with not going out to bid and giving everyone a chance.

Dave Larsen stated the following:

- staff reviews whether the State Law requires something to go out to bid or not
- if it is a Public Works project and is over \$5000 then it has to go out to bid
- if it doesn't fit in that category then Council has the discretion, under the Loomis Municipal Code, to waive the bid requirement

Councilmember Scherer noted that the applicant is the one who pays for the consultant.

Kathy Kerdus, Planning Director, pointed out the following:

- going out to bid takes more staff time
- our contracts are generally not that big by environmental group standards
- usually the applicant finds it time affective when they choose to go with who the Town has worked with in the past

Jean Wilson, 4301 Barton Road, stated the following:

- This will cost more staff time
- For an applicant, time is money, and if this holds up a project then they might not want to go out to bid
- Some applicants may prefer to go with someone who has already worked with the Town
- She would like to see the option left open for those who want to go to bid and for those who don't

Following further discussion on the matter, a motion was made to waive the bid requirement and authorize the Town Manager to sign a contract with LSA (Bill Bayer) to complete a revised Negative Declaration for the Orchard Place Subdivision project. On motion by Councilmember Morillas, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Morillas, Ucovich  
Noes: Millward, Scherer

## 8. Animal Control Services and Information

RECEIVE AND FILE

Councilmember Ucovich stated the following:

- we have the highest number of stray cats compared to the other cities
- like to see if there is some way in determining whether the incidents are in Loomis

Councilmember Scherer asked if the Finance Director could do a cursory audit and see if all of the incidents are in Loomis.

No public comment.

Following further discussion on the matter, a motion was made to direct staff to do a cursory audit to bring back on the next agenda. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

## PUBLIC HEARING

### 10. Fence and Wall Regulations (Continued from September 11, 2007)

TC 5/15/07

Consider proposed draft Zoning Ordinance revisions for entire Town of Loomis regarding Fence and Wall regulations

**Recommended action:** Open public hearing on revisions to the fence, wall and berm; give any directions on proposed revisions; and hold first reading by title only, waiving reading

**Public hearing:**

Continued to November 13, 2007.

### 11. Community Development Block Grants and Activities (Continued from September 11, 2007)

Discussion on Community Development Block Grants and activities; proposed adoption of the Housing Acquisition program guidelines, as well as the Program Income Reuse Plan; approval of allocations for Program Income and Development Affordability Fees

**Recommended action:** Adopt program income reuse plan and First Time Homebuyer Program Guidelines; Conduct a public hearing regarding comment on uses of General Allocation and Economic Development funds through CDBG; and approve the reallocation from the Low Income funds to the First Time Homebuyer Program.

**Public comment:**

Greg Asher, Mercy Housing, expounded on the following:

- every year CDBG makes available funding for local cities and counties up to \$500,000 in General Allocation funds and \$500,000 in Native American Allocation funds and \$300,000 in Economic Development funds
- a community can apply each year for the benefit of illegible activities
- the purpose of the public hearing is to solicit public feed back on possible Planning and Technical Grant Assistance applications
- Also, comment on the New Housing Acquisition program guidelines and the Program Income Reuse Plan
- A good way for getting funds is by doing a study showing the need

Roger Smith asked if we can show the depot, in it's improved condition, that it can serve senior or low income citizens in ways of transit or bus stops then we might be able to qualify for some of the funds?

Greg Asher stated a facility that provides multiple services can be an eligible activity.

Jean Wilson stated that her church has a Head Start program and they could use some ADA accessibility improvements.

Greg Asher stated the following:

- ADA improvements is an eligible expense as a community facility as long as you can demonstrate who you will be benefiting income qualified
- CDBG grants give you more flexibility then any other program.

A motion was made to approve the Program Income Reuse Plan and the Guidelines established for the First Time Home Buyer Down Payment Assistance Program to be submitted to the State of California for approval, and to approve the reallocation of \$250,000 from the Low Income funds to the First Time Homebuyer Program. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer, Ucovich

Noes: None

## BUSINESS

### 12. Placer County Transportation Planning Agency (PCTPA) Presentation

Growth in Placer County, and surrounding areas, makes it prudent to plan for road and transit needs and PCTPA coordinates such planning among the County and cities

**Recommended action:** Hear presentation and ask questions

**Public comment:**

Gina Garbolino, PCTPA Chair, gave a presentation and answered questions on traffic congestion, Federal and State funding, the proposed transportation sales tax, and how it will work.

Roger Smith, 6755 Wells Avenue, stated that you can't build your way out of congestion if you allow growth to happen.

Council discussed the following:

- no funding for a capital corridor stop, an overpass, and Sierra College Boulevard improvements in Loomis
- putting six lanes on Interstate 65 and going back down to four lanes on Interstate 80 will still be a problem

### 13. Orchard Place General Plan Amendment

The General Plan requires that an amendment proposal be reviewed by the Council to determine whether there is sufficient community benefit to proceed into an amendment process

**Recommended action:** Hear developers request and decide on the merits whether the amendment proposal(s) "clearly offer community-wide public benefits" as noted in the General Plan

**Public comment:**

Eric Peterson, Rivendale Communities, pointed out the following:

- they originally had a project that fit the Zoning Ordinance but it wasn't popular
- now he has a project that the neighbors agree with but he will need a zoning amendment
- they are also proposing to build a small park (tot lot), if the Town purchases the land from them
- he requests a zoning amendment from General Commercial to Medium Density Residential zoning

Jill Williams, architect for Rivendale Communities, expounded on the quality and detail of the proposed houses and answered questions.

Jeremy Sutter, Orchard Park Court, stated the following:

- the duets were never a good housing project and should have been in the center of Town
- this project will be a community benefit by preserving the character of Loomis
- he supports the General Plan Amendment

Chris Thompson, Orchard Park Way, stated she was against commercial zoning on the proposed lot.

Paul Schiess, on the Board of Directors for Legacy Lane and also speaking for Jason Baker (had to leave the meeting) who is also on the Board, stated the following:

- as homeowners in Legacy Lane they are the most impacted by any project that goes in there
- when their development was approved a lot of things slipped through the cracks and there are concerns that the Town staff may not have the time to oversee all of the fine details
- they would like to see nothing put there and leave the fruit stand alone but if it has to be developed then the benefit of the community would be to correct the zoning
- he supports residential zoning

Following further discussion on the matter, a motion was made to continue this item to November 13, 2007 to see if there is a more clearer community wide benefit that can justify a General Plan Amendment for this proposed project. On motion by Councilmember Scherer, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Millward, Scherer

Noes: Morillas, Ucovich

**14. Design of New Depot Building**

Consider contracting the services of Piches Architecture to design a building and plan that can go to bid in lieu of bidding the current plans to renovate the existing depot

**Recommended action:** If Council decides to proceed with a new structure then authorize a contract for professional services to Piches Architecture in a form suitable to the Town Attorney, similar to the prior agreement in the amount of \$22,750 plus reimbursable expenses

**Public comment:**

Beth Newt Enright, representing the Historical Society, expounded on the history of the depot and stated she supports restoring the depot.

Councilmember Scherer stated he would like to go to bid with the plans that we have.

Councilmember Kelley stated it was more efficient to build a new replica, with the same exterior structure, then to continue using public funds for the life of the existing building.

Councilmember Ucovich suggested going out to bid first, since we already have plans for restoration.

Mayor Millward stated that everything in the existing building will need to be replaced.

Councilmember Morillas suggested getting a comparison, see what it will cost for a new building and the cost for renovation at the same time, then we can make a decision.

Perry Beck pointed out that as an alternative we can ask the contractor for a bid on a design build for a new building and ask for a bid on the renovation exactly the way it is on the Piches plan.

Following further discussion on the matter, a motion was made to go out with two bids, one for the current set of plans that we have from Piches for the restoration of the depot, and one for a design build to reproduce the exact building. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Morillas, Scherer, Ucovich

Noes: Kelley, Millward

Recess at 9:23 p.m. to 9:35 p.m.

**15. Planning Consultant Services**

With the planning applications submitted on the Village at Loomis project and on the Loomis Market Place project, it is prudent for the Town to engage services that will be needed to evaluate the opportunities and challenges for each individual project and for the projects jointly

**Recommended action:** Authorize preparation of contracts for professional services with Opticos Design, Sinclair & Associates, DKS Northfork, Adrienne Graham, and MuniFinancial in a form suitable to the Town Attorney

**Public comment:**

Continued to November 13, 2007.

**16. Sphere of Influence Study**

TC 8/14/07

Councilmember Ucovich requested information regarding LAFCO and a sphere of influence study and the ongoing municipal service reviews being done by LAFCO

**Recommended action:** Discuss and give direction

**Public comment:**

Continued to November 13, 2007.

**17. Sierra College Boulevard Profile**

Councilmember Ucovich would like to visit the issue of the Sierra College Boulevard Road Improvement profile

**Recommended action:** Discuss and give direction


**Public comment:**

## COMMITTEE REPORTS

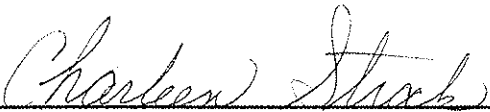
18. Placer County Economic Development Commission – Ucovich
19. Placer County Flood Control/Water Conservation District – Morillas
20. Placer County Transportation Planning Agency – Kelley/Millward
21. Placer County Mosquito Abatement – Ucovich
22. Placer County Air Pollution Control District – Millward/Ucovich
23. Sacramento Area Council of Governments – Scherer/Kelley
24. Placer Land Trust ex-officio representative - Scherer

## ADJOURNMENT

Mayor Millward stated there was no further business and adjourned at 11.02 p.m.



Mayor



Town Clerk